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52349

7590

09/09/2009

WENDEROTH, LIND & PONACK L.L.P.
1030 15th Street, N.W.
Suite 400 East
Washington, DC 20005-1503

EXAMINER

VAUGHAN, MICHAEL R

ART UNIT

PAPER NUMBER

2431

DATE MAILED: 09/09/2009

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/567,584	10/30/2006	Masato Yamamichi	2006, 0112A	2513

TITLE OF INVENTION: CONTENT REPRODUCTION SYSTEM

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	12/09/2009

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THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE** OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

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If the SMALL ENTITY is shown as NO:

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52349 7590 09/09/2009

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(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/567,584	10/30/2006	Masato Yamamichi	2006.0112A	2513
TITLE OF INVENTION: CONTENT REPRODUCTION SYSTEM				

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	12/09/2009

EXAMINER	ART UNIT	CLASS-SUBCLASS
VAUGHAN, MICHAEL R	2431	726-027000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
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- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1
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3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

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5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

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10/567,584

10/30/2006

Masato Yamamichi

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EXAMINER

VAUGHAN, MICHAEL R

ART UNIT

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WENDEROTH, LIND & PONACK L.L.P.
1030 15th Street, N.W.
Suite 400 East
Washington, DC 20005-1503

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 163 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 163 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability**Application No.**

10/567,584

Applicant(s)

YAMAMICHI ET AL.

Examiner

MICHAEL R. VAUGHAN

Art Unit

2431

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 7/24/09.
2. ☒ The allowed claim(s) is/are original claims 22, 24-37 renumbered as 1-16.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date ____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date ____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other ____.

/M. R. V./
Examiner, Art Unit 2431

DETAILED ACTION

The instant application 10/567,584 is presented for examination by the examiner. Claim 23 is canceled. Claims 22 and 24-37 are pending.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in an email conversation with Aldo D'Ottavio on 9-2-09.

Claims 25-33 and 35 remain as filed by Applicant on 7/24/09. The application has been amended by replacing the following claims:

22. A content reproduction system for distributing a plurality of prepaid contents via a network, the content reproduction system comprising:
- a recording medium;
 - a content distribution apparatus; and
 - a reproduction apparatus,
- wherein the recording medium is operable to store, in association with each other, (i) identification information for identifying a plurality of contents that can be acquired, (ii) a master

key that is common to the plurality of contents, and (iii) rule information that indicates a use rule that is common to the plurality of contents,

wherein the content distribution apparatus includes:

a storage unit for storing a plurality of encrypted contents and a plurality of encrypted content keys associated with the plurality of encrypted contents, the plurality of encrypted contents being generated by encrypting each of the plurality of contents by using one or more of a plurality of content keys, the one or more of the plurality of content keys being uniquely assigned to the each of the plurality of contents, the plurality of encrypted content keys being generated by encrypting the plurality of content keys, respectively, using the master key;

a transmitting unit operable to transmit, to the reproduction apparatus, a content list including content IDs which respectively indicate all contents held by the content distribution apparatus; and

a distribution unit operable to distribute an encrypted content requested by the reproduction apparatus and an encrypted content key associated with the encrypted content to the reproduction apparatus in response to a request from the reproduction apparatus, without using the recording medium as an intermediary,

wherein the reproduction apparatus includes:

a reading unit operable to read out the master key and the rule information from the recording medium;

a display unit operable to read out the identification information from the recording medium, to select, based on the read out identification information, one or more acquirable content IDs from among the content IDs included in the content list received from the content distribution apparatus, and to display an acquirable content list composed of the selected one or more acquirable content IDs;

a receiving unit operable to receive an acquirable content ID of the selected one or more acquirable content IDs from a user with the use of the displayed acquirable content list;

an acquiring unit operable to request an encrypted content from the content distribution apparatus, the encrypted content corresponding to the received acquirable content ID, and to acquire the requested encrypted content and an encrypted content key associated with the encrypted content, without using the recording medium;

a decrypting unit operable to determine if the acquired encrypted content is permitted to be used, based on the use rule indicated by the rule information and, if the acquired encrypted content is permitted to be used, to acquire the content key by decrypting the encrypted content key using the master key, and to generate a decrypted content using the acquired content key; and

a reproducing unit operable to reproduce the decrypted content,
wherein the recording medium is insertable into the reproduction apparatus and removable from the reproduction apparatus,

wherein the recording medium stores the master key as an encrypted master key generated by encrypting the master key using a device key uniquely assigned to the reproduction apparatus, and

wherein the reading unit acquires the master key by decrypting the encrypted master key using the device key uniquely assigned to the reproduction apparatus.

24. A reproduction apparatus for use in a content reproduction system, the content reproduction system for distributing a plurality of prepaid contents via a network, the content reproduction system having a content distribution apparatus and a recording medium which stores, in association with each other, (i) identification information for identifying a plurality of contents that can be acquired, (ii) a master key that is common to the plurality of contents, and (iii) rule information that indicates a use rule that is common to the plurality of contents,

wherein the content distribution apparatus is for storing a plurality of encrypted contents and a plurality of encrypted content keys associated with the plurality of encrypted contents, the plurality of encrypted contents being generated by encrypting each of the plurality of contents by using one or more of a plurality of content keys, the one or more of the plurality of content keys being uniquely assigned to the each of the plurality of contents, the plurality of encrypted content keys being generated by encrypting the plurality of content keys, respectively, using the master key, and

wherein the content distribution apparatus is operable to transmit, to the reproduction apparatus, a content list including content IDs which respectively indicate all contents held by

the content distribution apparatus, and to distribute an encrypted content requested by the reproduction apparatus and an encrypted content key associated with the encrypted content to the reproduction apparatus in response to a request from the reproduction apparatus, without using the recording medium as an intermediary,

the reproduction apparatus comprising:

a reading unit operable to read out the master key and the rule information from the recording medium;

a display unit operable to read out the identification information from the recording medium, to select, based on the read out identification information, one or more acquirable content IDs from among the content IDs included in the content list received from the content distribution apparatus, and to an acquirable content list composed of the selected one or more acquirable content IDs;

a receiving unit operable to receive an acquirable content ID of the selected one or more acquirable content IDs from a user with the use of the displayed acquirable content list;

an acquiring unit operable to request an encrypted content from the content distribution apparatus, the encrypted content corresponding to the received acquirable content ID, and to acquire the requested encrypted content and an encrypted content key associated with the encrypted content, without using the recording medium as an intermediary;

a decrypting unit operable to determine if the acquired encrypted content is permitted to be used based on the use rule indicated by the rule information, and if the acquired encrypted content is permitted to be used, operable to acquire the content key by decrypting the encrypted content key using the master key and to generate a decrypted content by decrypting the acquired encrypted content key using the acquired content key; and

a reproducing unit operable to reproduce the decrypted content, and

wherein the reproduction apparatus is configured so that the recording medium is insertable into the reproduction apparatus and removable from the reproduction apparatus,

wherein the recording medium stores the master key as an encrypted master key generated by encrypting the master key using a device key uniquely assigned to the reproduction apparatus, and

wherein the reading unit acquires the master key by decrypting the encrypted master key using the device key uniquely assigned to the reproduction apparatus.

34. A content distribution apparatus for use in a content reproduction system, the content reproduction system for distributing a plurality of prepaid contents via a network, with a reproduction apparatus and a removable recording medium which stores, in association with each other, (i) identification information for identifying a plurality of contents that can be acquired, (ii) a master key that is common to the plurality of contents, and (iii) rule information that indicates a use rule that is common to the plurality of contents, the content distribution apparatus comprising:

- a storage unit for storing a plurality of encrypted contents and a plurality of associated encrypted content keys associated with the plurality of encrypted contents, the plurality of encrypted contents being generated by encrypting each of the plurality of contents by using one or more of a plurality of content keys, the one or more of the plurality of content keys being uniquely assigned to the each of the plurality of contents, the plurality of encrypted content keys being generated by encrypting the plurality of content keys, respectively, using the master key;

- a transmitting unit operable to transmit, to the reproduction apparatus via a network, a content list including content IDs which respectively indicate all contents held by the content distribution apparatus; and

- a distribution unit operable to distribute an encrypted content requested by the reproduction apparatus and an encrypted content key associated with the encrypted content to the reproduction apparatus in response to a request from the reproduction apparatus, without using the recording medium as an intermediary,

wherein the content list is used by the reproduction apparatus to select, based on the identification information, one or more acquirable content IDs from amount the content IDs included in the content list, to receive an acquirable content ID of the selected one or more acquirable content IDs from a user, and to request a content corresponding to the received acquirable content ID,

wherein the recording medium stores the master key as an encrypted master key generated by encrypting the master key using a device key uniquely assigned to the reproduction apparatus, and

wherein the reading unit acquires the master key by decrypting the encrypted master key using the device key uniquely assigned to the reproduction apparatus.

36. A reproduction method for reproducing content of a plurality of prepaid contents distributable via a network with a reproduction apparatus used with a content distribution apparatus and a recording medium which stores, in association with each other, (i) identification information for identifying a plurality of contents that can be acquired, (ii) a master key that is common to the plurality of contents, and (iii) rule information that indicates a use rule that is common to the plurality of contents,

wherein the recording medium is insertable into the reproduction apparatus and removable from the reproduction apparatus,

wherein the content distribution apparatus is for storing a plurality of encrypted contents and a plurality of encrypted content keys associated with the plurality of encrypted contents, the plurality of encrypted contents being generated by encrypting each of the plurality of contents by using one or more of a plurality of content keys, the one or more of the plurality of content keys being uniquely assigned to the each of the plurality of contents, the plurality of encrypted content keys being generated by encrypting the plurality of content keys, respectively, using the master key, and

wherein the content distribution apparatus is operable to transmit, to the reproduction apparatus, a content list including content IDs which respectively indicate all contents held by the content distribution apparatus, and to distribute an encrypted content and an encrypted content key associated with the encrypted content to the reproduction apparatus in response to a request from the reproduction apparatus, without using the recording medium as an intermediary,

the reproduction method comprising the steps of:

reading out from the recording medium the master key that is common to the plurality of contents and the rule information that indicates the use rule that is common to the plurality of contents;

reading out the identification information from the recording medium;

selecting, based on the read out identification information, one or more acquirable content IDs from among the content IDs included in the content list received from the content distribution apparatus, displaying an acquirable content list composed of the selected one or more acquirable content IDs, and receiving an acquirable content ID from a user with the use of the displayed acquirable content list;

requesting one encrypted content from the content distribution apparatus, the encrypted content corresponding to the received acquirable content ID, and acquiring the requested encrypted content and an encrypted content key associated with the requested encrypted content, without using the recording medium as an intermediary;

determining if the acquired encrypted content is permitted to be used, based on the use rule, and if the acquired encrypted content is permitted to be used, acquiring the content key by decrypting the encrypted content key using the master key and generating a decrypted content by decrypting the acquired encrypted content key using the acquired content key; and

reproducing the decrypted content,

wherein the recording medium stores the master key as an encrypted master key generated by encrypting the master key using a device key uniquely assigned to the reproduction apparatus, and

wherein the reading unit acquires the master key by decrypting the encrypted master key using the device key uniquely assigned to the reproduction apparatus.

37. A computer-readable storage medium storing a reproduction program for use in a computer for reproducing content of a plurality of prepaid contents distributable via a network, and for use with a content distribution apparatus and a recording medium which stores, in association with each other, (i) identification information for identifying a plurality of contents that can be acquired, (ii) a master key that is common to the plurality of contents, and (iii) rule information that indicates a use rule that is common to the plurality of contents,

wherein the recording medium is insertable into the computer and removable from the computer,

wherein the content distribution apparatus is for storing a plurality of encrypted contents and a plurality of encrypted content keys associated with the plurality of encrypted contents, the plurality of encrypted contents being generated by encrypting each of the plurality of contents by using one or more of a plurality of content, the one or more of the plurality of content keys being uniquely assigned to the each of the plurality of contents, the plurality of encrypted content keys being generated by encrypting the plurality of content keys, respectively, using the master key, and

wherein the content distribution apparatus is operable to transmit, to the computer, a content list including content IDs which respectively indicate all contents held by the content distribution apparatus, and to distribute an encrypted content requested by the computer and an encrypted content key associated with the encrypted content to the computer in response to a request from the computer, without using the recording medium as an intermediary,

the reproduction program being for causing the computer to perform the steps of:

reading out from the recording medium the master key that is common to the plurality of contents and the rule information that indicates the use rule that is common to the plurality of contents;

reading out the identification information from the recording medium;

selecting, based on the read out identification information, one or more acquirable content IDs from among the content IDs included in the content list received from the content distribution apparatus, displaying an acquirable content list composed of the selected one or more acquirable content IDs, and receiving an acquirable content ID from a user with use of the displayed acquirable content list;

requesting one encrypted content from the content distribution apparatus, the encrypted content corresponding to the received acquirable content id, and acquiring the requested encrypted content and an encrypted content key associated with the requested encrypted content, without using the recording medium;

determining if the acquired encrypted content is permitted to be used, based on the use rule, and if the acquired encrypted content is permitted to be used, acquiring the content

key by decrypting the encrypted content key using the master key and generating a decrypted content by decrypting the acquired encrypted content key using the acquired content key; and reproducing the decrypted content,

wherein the recording medium stores the master key as an encrypted master key generated by encrypting the master key using a device key uniquely assigned to the reproduction apparatus, and

wherein the reading unit acquires the master key by decrypting the encrypted master key using the device key uniquely assigned to the reproduction apparatus.

Reasons for Allowance

The following is an examiner's statement of reasons for allowance:

The independent claims all recite the limitation of:

"the content distribution apparatus is operable to transmit, to the reproduction apparatus, a content list including content IDs which respectively indicate all contents held by the content distribution apparatus, and to distribute an encrypted content and an encrypted content key associated with the encrypted content to the reproduction apparatus in response to a request from the reproduction apparatus, without using the recording medium as an intermediary". This limitation in combination with all of the other claim limitations is not found in the prior art. The closest art of record, Nakano fails to teach a prepaid content system whereby the content is separately distributed from the recording medium.

Allowable Subject Matter

Claims 22, 24-37 are allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MICHAEL R. VAUGHAN whose telephone number is (571)270-7316. The examiner can normally be reached on Monday - Thursday, 7:30am - 5:00pm, EST. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Korzuch can be reached on 571-272-7589. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/M. R. V./
Examiner, Art Unit 2431

/William R. Korzuch/
Supervisory Patent Examiner, Art Unit 2431